

1  
2  
3  
4  
5  
6  
7 RONISHA SHARDE GAINES,  
8 Plaintiff,  
9 v.  
10 STATE OF CALIFORNIA,  
11 Defendant.

Case No. [24-cv-01280-TSH](#)

**ORDER DENYING MOTION TO SEAL**

Re: Dkt. No. 12

12  
13 Plaintiff Ronisha Gaines has filed two documents that appear to be identical versions of  
14 her amended complaint. ECF Nos. 11, 12. However, she efiled ECF No. 11 as an “Amended  
15 Complaint” and ECF No. 12 as a “First Administrative Motion to File Under Seal.”

16 If Plaintiff seeks to file her amended complaint (or any other document) under seal, she  
17 must comply with Civil Local Rule 79-5, which sets forth the requirements for any motion to seal.  
18 Rule 79-5 states that “[t]he public has a right of access to the Court’s files” and Plaintiff “must  
19 explore all reasonable alternatives to filing documents under seal, minimize the number of  
20 documents filed under seal, and avoid wherever possible sealing entire documents (as opposed to  
21 merely redacting the truly sensitive information in a document).” Civ. L.R. 79-5(a). This is  
22 because “[h]istorically, courts have recognized a ‘general right to inspect and copy public records  
23 and documents, including judicial records and documents.’” *Kamakana v. City and Cty. of  
Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435  
24 U.S. 589, 597 & n.7 (1978)).

26 The Court must apply a “compelling reasons” standard when considering a motion to seal  
27 a complaint. *See, e.g., Pardi v. Tricida, Inc.*, 2024 WL 818364, \*2 (N.D. Cal. Feb. 27, 2024)  
28 (“Because the complaint is the pleading on which this action is based, the Court applies the

1       ‘compelling reasons’ standard to this motion to seal.”). Under this standard, “a strong  
2 presumption in favor of access is the starting point.” *Kamakana*, 447 F.3d at 1178 (quotations  
3 omitted). To overcome this strong presumption, Plaintiff must “articulate compelling reasons  
4 supported by specific factual findings that outweigh the general history of access and the public  
5 policies favoring disclosure, such as the public interest in understanding the judicial process.” *Id.*  
6 at 1178-79 (quotation omitted). “Supporting declarations may not rely on vague boilerplate  
7 language or nebulous assertions of potential harm but must explain with particularity why any  
8 document or portion thereof remains sealable under the applicable legal standard.” *Bronson v.*  
9 *Samsung Elecs. Am., Inc.*, 2019 WL 7810811, at \*1 (N.D. Cal. May 28, 2019) (citing Civ. L.R.  
10 79-5).

11                  Here, Plaintiff has not complied with Civil Local Rule 79-5 and has not otherwise shown  
12 that compelling reasons exist to seal her amended complaint. Accordingly, the motion is  
13 **DENIED WITHOUT PREJUDICE.**

14                  The Court reminds Plaintiff that she may wish to seek assistance from the Legal Help  
15 Center, a free service offered by the Justice & Diversity Center of the Bar Association of San  
16 Francisco. You may request an appointment by emailing [fedpro@sfbar.org](mailto:fedpro@sfbar.org) or calling 415-782-  
17 8982. At the Legal Help Center, you will be able to speak with an attorney who may be able to  
18 provide basic legal help but not representation. More information is available at  
19 <http://cand.uscourts.gov/helpcentersf>.

20                  Plaintiff may also wish to obtain a copy of this District’s *Handbook for Litigants Without a*  
21 *Lawyer*, which provides instructions on how to proceed at every stage of your case. The  
22 handbook is available in person at the Clerk’s Office and online at:  
23 <http://cand.uscourts.gov/prosehandbook>.

24                  **IT IS SO ORDERED.**

25  
26                  Dated: May 28, 2024

27  
28



THOMAS S. HIXSON  
United States Magistrate Judge